

PRELIMINARY

ILLINOIS

Illinois ranks first among the states in number of local governments, with 6,903 active as of June 2002.

COUNTY GOVERNMENTS (102)

There are no areas in the State of Illinois that lack the county form of government. Eighty-four counties are with populations of 3,000,000 or less have township governments. Their governing boards consist of five to 29 members. Members are elected in their respective districts or at large. In the 17 counties without township governments, the governing body consists of a three-member board, which is elected at large. Special provisions for Cook County hold that ten of the 17 commissioners are elected from the city of Chicago, and the remainder from the county area outside the city. Any county having an elected chief executive officer is a home-rule government. Currently, only Cook County operates under home rule among all county governments within the state of Illinois. Based on Census 2000 statistics, Cook County represents the largest population (5,376,741) among Illinois county jurisdictions. The smallest county constituency in Illinois can be found in Pope County (4,413 people).

SUBCOUNTY GENERAL PURPOSE GOVERNMENTS (2,721)

The 2,721 sub-county general purpose governments in Illinois comprise 1,288 municipal (city, village, and town) governments, and 1,433 townships.

Municipal Governments (1,288)

Cities, villages, and incorporated towns represent municipal governments in the state of Illinois. There are no differences in legal powers or status that would affect their classification for census purposes. The city of Chicago reported the largest municipal constituency of 2,896,016 people in 2000. The municipal government representing the smallest population in the state is the village of Kaskaskia (9 people).

The minimum population requirement for incorporation as a city is 2,500. Incorporation for a village ranges from 200 (in counties having less than 150,000) to 2,500 people. In any case, municipalities having populations of 25,000 or more automatically become home rule governments. Municipalities with populations of less than 25,000 have the option of selecting home rule by referendum. Based on Census data, the process for officially becoming an incorporated municipality within the state of Illinois becomes final when a qualifying unit has filed a petition with the clerk of the county court.

In the 85 counties that have township forms of government, municipalities exist within those township areas. The city of Chicago is an exception to this rule.

Township Governments (1,433)

Township governments exist in 85 of the 102 Illinois counties.

Although sometimes referred to regionally as "towns," Illinois townships are not to be confused with incorporated towns. An elected township supervisor is the chief administrative officer.

PUBLIC SCHOOL SYSTEMS (944)

School District Governments (944)

The following types of school districts in Illinois are recognized as governments for census purposes:

- Chicago School District
- Combined (elementary) districts
- Combined (high school) districts
- Common districts
- Community college districts
- Community high school districts
- Community unit districts
- High school districts (same boundaries as common districts)
- Non-high school districts
- Township high school districts
- Special charter districts

These districts are usually governed by elected boards. For community college districts and special district charter districts, boards may be elected or appointed. The Chicago Community College District board is appointed by the mayor of Chicago with the approval of the city council. The five members of the Chicago School Reform Board are appointed by the mayor of Chicago. The Chicago School Reform Board is due to expire June 30, 1999 and will be replaced with the Chicago Board of Education. The Chicago Board of Education will have seven members appointed by the mayor of Chicago. All of the districts may levy local taxes and issue bonds.

Dependent Public School Systems (0)

Illinois has no dependent public school systems.

Other Educational Activities

Area vocational centers and special education cooperatives may be formed by joint agreements between two or more school districts. A board consisting of representatives of each participating school district governs these two types of special education projects. Participating school districts share the costs of the joint project endeavors. For census purposes, area vocational centers and special education cooperatives formed by joint agreement are classified as joint educational service agencies within participating school districts. They are not counted as separate governments. As of fiscal year 1997, there were 111 area vocational centers and special education cooperatives reported in operation.

Counties are designated as "educational service regions." These regions replace former county boards consisting of school trustees. Consolidated regions may be formed by two or more counties. A regional superintendent of schools serves as chief administrative officer of an educational service region. Educational service regions are not counted as governments.

Cooperative or joint educational programs may be administered by educational service regions. Illinois law provides for certain local boards and officials to manage school funds, lands, and to deal with district boundary changes. In counties having fewer than 1,000,000 inhabitants, these agencies include an elective regional board of school trustees or elective boards consisting of school township land commissioners. In counties

having between 220,000 and 999,999 inhabitants, the regional board members serve as township land commissioners. In counties having 1,000,000 or more inhabitants (Cook County), school business is managed by elective boards consisting of school township trustees. Each township board is authorized to appoint a school township treasurer. In either case, neither joint endeavor educational program is counted as a separate or distinct governmental entity.

Financial assistance and financial oversight panels may provide emergency state financial aid and oversight to school districts. Members of these panels are appointed by the state superintendent of education. Because these panels receive state appropriations, they are classified for census purposes as state agencies and not as separate government entities. Educational service centers are established by Illinois State Board of Education, and function primarily to coordinate and provide special and ordinary services to affiliated school districts. These service centers are governed by boards consisting of members appointed by the regional superintendent. Because education service centers are classified as dependent activities of their member school districts, they are not counted as distinct government entities in the census. It is important to note that school finance authorities are counted below under "Special District Governments."

SPECIAL DISTRICT GOVERNMENTS (3,068)

Under Illinois statute, a variety of special districts and authorities qualify as distinct government entities. These are discussed in detail below.

Airport Authorities

Airport authorities are organized to provide and operate airport facilities in the state. They are created by the circuit court judge, after a petition has been filed, and a public hearing and referendum has been held. The governing body of an airport authority is known as the board of commissioners. Commissioners representing municipalities of 5,000 or more population are appointed by the presiding officer of the municipal governing body. Members of the board selected from other municipalities, unincorporated territories, and members at large are appointed by the county's governing body. If

the airport authority is located in more than one county, commissioners sitting on the authority board, not representing a municipality of at least 5,000 or more, are appointed by the general assembly of the overlying legislative districts.

Corporate powers exercised by airport authorities within the state include the ability to levy taxes, fix rates and fees, and issue bonds (upon approval by The State Department of Transportation). Similar provisions apply to metropolitan airport authorities, which are established in counties with a population between 600,000 and 3,000,000 and areas contiguous to a county with populations of 1,000,000 or more. Illinois law also allows for the creation of joint city-county airport commissions (by agreement between two or more counties or municipalities / i.e. Kankakee River Valley Area Airport Authority of Cook and Will Counties); and interstate airport authorities (by joint agreement between two or more local governments in Illinois and any municipal body of an adjoining state / i.e. Chicago-Gary Regional Airport Authority / of Chicago, IL and Gary, IN). These two sub-classes of airport authorities operate under similar provisions and are counted as separate governments for census purposes.

Bi-State Metropolitan Development District

This district is counted under “Special District Governments” of Missouri.

Cemetery Maintenance Districts

Cemetery maintenance districts are created by petition of voters to the circuit court judge. In addition to submitting the petition, a public hearing and referendum is necessary for these districts to be created. The governing body of a cemetery maintenance district is known as the board of trustees. Trustees are appointed by the governing body of a county, municipality, or township, depending on the area covered by the district. If a district is located in more than one county, the board is appointed by the members of the general assembly from the overlying legislative districts. Among the various corporate powers exercised by the board, trustees of a district may levy property taxes and accept donations.

Chain O’Lakes-Fox River Waterway Management Agency

This agency was established by special act after voter approval to improve and maintain the Fox River and Chain O’Lakes public waterway from the Wisconsin border to the Algonquin Dam for recreational uses, to restore environmental quality, and to control flooding. An elected board of seven members governs the agency. This unit of government is primarily funded through user fee sticker sales and grants from various sources.

Chicago School Finance Authority^v

This authority was created by 1980 legislation to assist in financing the operations of the Chicago Board of Education. The governing body consists of two directors appointed by the Governor, two appointed by the mayor of Chicago, and one appointed jointly by the Governor and the mayor of Chicago. The authority may issue bonds, but must rely on city ordinances to levy property taxes.

Chicago Transit Authority

This authority, which operates local transit service within Chicago, was created by special act. The Chicago Transit Board, which consists of three members appointed by the Governor and four members appointed by the mayor of Chicago, governs the authority. The authority may issue bonds, fix rates and fares, and receive funds from the Regional Transportation Authority. Although the budget of the Chicago Transit Authority is subject to Regional Transportation Authority approval, the Regional Transportation Authority must follow statutory criteria in deciding whether to approve the Chicago Transit Authority’s budget.

Civic Center Authorities

Civic center authorities provide auditorium and exposition facilities and are established by special acts (similar provisions for each). They are governed by a board that is selected by the governing body of the county, city, village, or township served. All civic center authorities may fix rents and charges. Some, but not all civic center authorities, may also levy ad valorem taxes and issue general obligation bonds upon voter approval. Authorities that are governed by a county, municipality, or township government

(ex officio) are not counted as separate governments. See “Subordinate Agencies and Areas,” below.

Metropolitan exposition, auditorium, and office building authorities may be established by general law, in one or more counties, with a combined assessed valuation of \$300 million to \$5 billion by resolution of a county’s governing body. A nine-member board, appointed by the chairperson of the county board, with the consent of the county board, governs each authority. Where joint county authorities are created, board members are apportioned among participating counties in proportion to population. Regardless of unilateral or joint form, these authorities may fix charges and fees and receive payments from a special state fund into which specified proceeds originate from horse racing. While these authorities may issue both general obligation and revenue bonds, general obligation bonds secured by property tax levies must be approved by the voters.

The Metropolitan Pier and Exposition Authority, formerly the Metropolitan Fair and Exposition Authority, was established by special act to provide fair and exposition facilities in Chicago. It has 15 members, 6 appointed by the Governor and 7 (including the chairperson) by the mayor of Chicago, plus these 2 officials in an ex officio capacity. The authority may borrow money, collect charges for its facilities, and accept grants.

Conservation Districts

Conservation Districts are established to conserve open spaces intended for recreational purposes. They are created upon petition of voters to the circuit court from a county with under 1,000,000 population, having no forest preserve, or by petition of voters from not more than five counties, followed by local referendum. The district board of trustees is appointed by the chairperson of the governing body of each county in the district with the consent of the county governing body. District boards may collect fees, accept gifts and grants, levy annual tax, and issue bonds after voter approval.

Other than land set aside for recreational purposes, the state of Illinois also places an interest in the conservation of soil and water as natural resources. Soil and water conservation districts may be established by the state

Department of Agriculture, through a petition of residents of a given area, and a hearing and local referendum has taken place. A board of five directors, elected from among landowners in the district, governs each district. These districts may levy compulsory charges against landowners for work performed. In addition, sub-districts may be established in watershed areas of a soil and water conservation district and a property tax levy made for operations. These sub-districts are not counted as separate governments.\

County Historical Museum Districts

These districts are intended to provide for the creation and maintenance of county historical museums, and to collect and curate materials which would help to establish or illustrate the history of a county. County museum districts are formed by petition of voters to the circuit court of the most populous county to be served, after public hearing and referendum. A board of five trustees, appointed by the county governing body, presides over each district. The district may charge fees for its services, issue bonds, and may levy ad valorem taxes upon voter approval.

County Water Commissions—1985 Law

These commissions were originally established under a former law, but were reorganized under provisions of the 1985 updated legislation. Water commission board members are appointed by participating governments. They may, after voter approval, certify the amount of property taxes to be levied for commission purposes and issue bonds.

Drainage Districts

In 1955, a new drainage code (effective January 1, 1957) replaced the Farm Drainage Act of 1885 and the Levee Act of 1879. This new legislation provided that all drainage districts organized under prior laws would continue in existence, but would operate under the provisions of the new drainage code. The following types of drainage districts remain active and are subject to that code:

- Drainage districts
- Drainage and levee districts
- Mutual drainage districts
- Mutual drainage and levee districts
- Outlet drainage districts

Drainage districts are intended to construct, maintain, or repair drains or levees or to engage in other drainage or levee work for agricultural, sanitary or mining purposes. They may be established by the circuit court after petition of landowners and a public (Drainage Notice) hearing is held. Drainage districts may levy benefit assessments and may issue bonds. Drainage sub-districts have no governing body separate from that of the parent district, and are not counted as separate governments for census purposes.

Exposition Authorities and Councils

Exposition Authorities may be organized to conduct expositions, theatricals, cinema exhibitions, concerts, recitals, lectures and industrial, trade, scientific, cultural and educational exhibits, amusement devices, convention halls, public restaurants, athletic fields, athletic contests and games, and other forms and places of public entertainment in any park district located in whole or in part in any city having a population of two hundred thousand or more. They are created by petition of park district commissioners to the secretary of state. A board of commissioners are appointed by the mayor to govern each authority. The authorities may fix rentals, fees, and charges and issue revenue bonds. Exposition councils, which perform functions similar to those of exposition authorities, are created by resolution of a county or city of a specified population size range. A board of commissioners appointed by the governing body of the creating government governs each council. The council may fix rentals, fees, and charges issue bonds, and, after voter approval, may levy taxes to retire general obligation bonds.

Fire Protection Districts

Fire protection districts provide fire protection and ambulance services to the areas they serve. They are established by the circuit court, after petition has been filed and a local referendum is held. Fire protection districts are each governed by a local boards of trustees. Trustees may be elected by local referendum or appointed by the governing body of a county, municipality, or township (local governments falling within a district's service area). If a district is located in more than one county, the district board is appointed by each respective county's governing

body based on county population size. District boards may issue bonds and levy property taxes.

Hospital Districts

Hospital districts may be created to construct and operate hospital facilities in counties representing less than 1,000,000 people. They are established by filing a petition with the circuit clerk of the County. After a petition is filed, a public hearing and local referendum is held..

The governing body of the district is known as the board of directors. Each district board consists of 9 directors. If a district only covers only one county in its service area, board members of that district are appointed by chief executive officer of a county's governing body (with advise and consent from the county board), or by the county's governing body of a county that exercises home rule form of government. Some hospital districts may serve an area that is located in more than one county. In such case, the governing body of each county may appoint board members based on the proportion of its population included within the service area of the hospital district. Hospital districts may issue bonds, levy property taxes, and fix charges for use of their medical facilities and services.

Housing Authorities

Housing authorities may be established by the governing bodies of any city, village, or incorporated town having more than 25,000 inhabitants, or by any county within the state of Illinois. Upon establishing a need for the authority, the local government files a statement of need and supporting resolution with state Department of Commerce and Community Affairs. If social and economic needs for the authority are warranted, and the services are not duplicated within the proposed service area, certification is issued, local government may then establish a housing authority. Among other powers, housing authorities may issue bonds and fix rents, fees, and charges.

The Chicago Metropolitan Housing Development Corporations classified for census purposes as a dependent agency of the Chicago Housing Authority. It is not counted as a separate government.

Library Districts

Illinois statutes authorize the following types of library districts:

Library Systems. Library. Systems are created when one or more tax supported public libraries, serving a minimum of 150,000 inhabitants or an area no less than 4,000 square miles, or of a single public library serving a city of over 500,000 population, come together to provide services in areas that do not have library services. While library systems do fill the void existing in service coverage, they also strengthen ties between local libraries and the state library. The only exception to the terms mentioned above is the city of Chicago, which is its own system.

Library systems are governed by a board of directors consisting no less than 5 and no more than 15 members. Board members are elected or selected from the governing boards of participating libraries. Library systems are funded by state appropriations.

Local Libraries. These libraries are established by cities, villages, incorporated towns, and townships or by referendum. An elected, seven-member board of trustees govern libraries established in towns, townships, or villages (excluding villages under a commission form of government). A library tax is levied by a city, village, town, or township and deposited in a library fund. In cities, villages, towns, and townships having a population 50,000 or fewer, the proceeds of the tax collection are paid to the board of trustees.

Public Library Districts. These districts are established by the circuit court judge, on petition of voters and after hearing and local referendum. The initial board of trustees that administers each district is appointed by the county governing body, or by the county executive in home rule counties. Districts covering a service area consisting of more than one county, the initial board is appointed by members of the general assembly from the overlying legislative district. A referendum determines whether subsequent boards will be appointed or elected. Library district boards may levy taxes and issue bonds, after approval by the voters. Provisions in the Public Library District Act allow local libraries and village libraries to convert to public library

districts.

Libraries established under the Village Library Act are not counted as separate governments. Libraries established in villages under a commission form of government under the Local Library Act are not counted as separate governments.

METRA Commuter Rail Board

This board operates commuter rail service in the Chicago area. The governing board consists of 7 directors: one director (a resident of DuPage county) is appointed by the chairman of the board of DuPage County with advice and consent of the county board; two directors are appointed by the chairmen of the county boards of Kane, Lake, McHenry, and Will counties; three directors are appointed by the Cook county board of commissioners; and one director is appointed by the mayor of the city of Chicago with advise and consent of the city council. The chairman of the rail board is selected by the board, with concurrence of at least 5 of the 7 directors.

General powers granted to the rail board include the ability to hold and sell real property, fix rates and fares, receive funds from the Regional Transportation Authority, and invest funds not required for immediate use or disbursement. Although the budget of the METRA Commuter Rail Board is subject to Regional Transportation Authority approval, the Regional Transportation Authority must follow statutory criteria in deciding whether to approve METRA Commuter Rail Board's proposed annual budget.

The Northeast Illinois Commuter Railroad Corporation, which operates some of the commuter railroad facilities, is governed by the METRA Commuter Rail Board. It is classified as a subsidiary of the METRA Commuter Rail Board, and is not counted as a separate government.

Prior to 1987, the METRA Commuter Rail Board was classified for census purposes as part of the Regional Transportation Authority, and was not counted as a separate government .See "Regional Transportation Authority" under "Special District Governments" below.

Metro East Solid Waste Disposal and Energy Producing Service

This service was established by special act after a joint resolution of the municipalities was executed. A board consisting of representatives from each participating municipality, plus the director of the Illinois Environmental Protection Agency ex officio, governs the service. The service may fix fees, rates, rentals, and charges and may issue revenue bonds.

Metropolitan Exposition, Auditorium, and Office Building Authorities

See “Civic Center Authorities” under “Special District Governments” above.

Metropolitan Pier and Exposition Authority

See “Civic Center Authorities” under “Special District Governments” above.

Mosquito Abatement Districts

These districts are established in areas with no less than 300 inhabitants. At least 5% of the legal voters within the proposed district limits must petition the circuit court judge for the creation of a mosquito abatement district. A public hearing and local referendum must occur for mosquito abatement districts to be established. A board of 5 trustees governs each district. Each trustee is appointed by the presiding officer of the county board, or municipal governing body, or the township board of auditors, depending on the service area of the mosquito abatement district. In cases where the county seat exercises home rule authority, appointment of trustees by the presiding officer must take place with the advise and consent of the county board. Mosquito abatement district boards and municipalities may levy property taxes to fund mosquito abatement services.

Municipal Power Agencies and Municipal Joint Action Gas Agencies

Municipal power agencies provide for the electric power to two or more municipalities (contiguous and non-contiguous), and are formed by joint agreement between the participating governments. A board of directors representing participating governments as specified in that agreement preside over the agency. The agency

may fix rates, rents, and charges; may borrow money and issue negotiable bonds (secured and unsecured); and receive appropriations from participating governments. Similar provisions apply to municipal joint action gas agencies.

Municipal Joint Action Agencies

Municipal joint action agencies administer the water supply, sewage treatment, and waste collection and disposal within a defined area. They are created by written agreement between two or more participating governments. A board of directors representing participating governments is specified in the legal instrument defining the agency. Usually, the agency may fix rates, rents, and charges and receive appropriations from participating governments as needed. Municipal joint action water agencies may also levy ad valorem taxes, and issue general obligation bonds upon voter approval.

Municipal Zoo Authorities

Authorities providing for zoo facilities are created by ordinance of one or more municipalities (each municipality having a population of less than 1,000,000). A governing board of nine members are appointed by the mayors of the municipalities being served. Membership of the board is established according to population proportion. Zoo authorities may fix charges, receive grants and contributions, and issue revenue bonds as prescribed by the law.

Museum Districts

These districts, which provide for museum facilities, are created by petition to the county board, after public hearing and referendum has been held. A board of 5 commissioners, appointed by the county board (location), governs each district. Museum districts may levy ad valorem taxes, fix rates and charges, and after voter approval, may issue bonds. Districts that are governed by a city governing body in an ex-officio capacity are not counted as separate governments for census purposes. See “Subordinate Agencies and Areas,” below.

PACE Suburban Bus Board

The Pace Bus Board operates suburban bus service in the Chicago area; and it consists of 12 members, 6 of whom are appointed by Cook

County, 1 each by DuPage, Kane, Lake, McHenry, and Will Counties, and 1 (the chairperson) is selected by the other 11. The board may issue bonds, fix rates and fares, and receive funds from the Regional Transportation Authority. Although the budget of the PACE Suburban Bus Board is subject to Regional Transportation Authority approval, the Regional Transportation Authority must follow statutory criteria in deciding whether to approve the PACE Suburban Bus Board budget. Prior to 1987, the PACE Suburban Bus Board was classified as part of the Regional Transportation Authority, and was not counted as a separate government for census purposes.

See also “Regional Transportation Authority” under “Special District Governments” below.

Park Districts

Illinois law allows for the creation of general, Pleasure driveway, and township park districts. Park districts are established by the circuit court judge on petition of voters, and after local referendum. An elected board of trustees or commissioners governs each district. Park districts may issue bonds and levy property taxes.

The Chicago Park District was created by a law applying only to cities of over 500,000 population. A board of seven commissioners appointed by the mayor, with the approval of the city council, governs the district. The Chicago Park District may levy property taxes and issue bonds.

Port and Regional Port Districts

The following districts have been established by special acts:

- Havana Regional Port District
- Illinois International Port District
- Illinois Valley Regional Port Districts
- Jackson-Union Counties Regional Port District
- Joliet Regional Port District
- Kaskaskia Regional Port District
- Mt. Carmel Regional Port District
- Seneca Regional Port District
- Shawneetown Regional Port District
- Southwest Regional Port District
- Tri-City Regional Port District
- Waukegan Port District
- White County Port District

Similar provisions apply to each of these districts. Their board members are selected by the Governor and/or by local officials, according to the provisions outlined in authorizing legislation for each specific district. All of these districts may issue bonds upon voter approval, collect rates and fees, and accept grants from the Federal government and other sources. All except the Illinois International Port District may levy taxes, after referendum. Most of these districts maintain and operate aquariums, museums, and planetariums, as well as port and terminal facilities.

Public Building Commissions

The governing body of any municipality (with 3,000 or more inhabitants) or any county seat or the county board of any county (with between 350,000 and 1,000,000 inhabitants) may, by resolution adopted by a majority of its members, determine that a public building commission is needed to finance and construct public facilities. No more than one building commission may be organized by a single local government. The governing body of building commissions consist of five or more people, who are appointed by the creating governments. Public building commissions may collect rentals or other charges, and may issue revenue bonds.

Regional Transportation Authority

This authority was formed by act of the general assembly to coordinate bus and rail transit services in the Chicago metropolitan area. It has the power to make grants available to, and purchasing service from, existing public and private transit systems. The authority’s governing body is a board made up of 13 directors: four members appointed by the mayor of Chicago, four appointed by the Cook County governing body, one appointed by the chairperson of DuPage County’s governing body, two selected through a majority vote by the chairpersons of Kane, Lake, McHenry, and Will Counties, and the chairperson of the Chicago Transit Authority ex officio. The 13th member, the board chairperson, is selected by the other 12 members. The authority receives revenues from fares, state taxes, Federal and state grants, and a locally imposed retail occupation and use tax. The Regional Transportation Authority may issue bonds.

The following service boards are counted as separate governments, because they may set their own fares. The Regional Transportation Authority must follow statutory guidelines in determining whether to approve their budgets:

METRA Commuter Rail Board
PACE Suburban Bus Board

Prior to the 1987 Census of Governments, METRA Commuter Rail Board and the PACE Suburban Bus Board were classified as subsidiaries of Regional Transportation Authority. At that time, they were not counted as separate governments for census purposes.

Rescue Squad Districts

Rescue squad districts, which provide rescue services, may be established by petition to the circuit court, after voter approval. A board of five trustees governs each district. Trustees are appointed by the municipal, township, or county governing body, depending on the geographic area included in the district. If the district includes areas situated in two or more counties, board members are selected by each county in proportion to population. Rescue squad districts may levy and collect a general tax on the property situated in the district. Tax rates may be increase (but will not exceed a prescribed amount defined by law) or decreased based on provisions that are subject to public referendum.

River Conservancy Districts

These districts are created to prevent stream pollution, conserve and protect water supplies, and promote public health in the areas where they are established. Districts are officially organized by the circuit court judge, by petition by the voters, and after a public referendum has taken place. A board of trustees governs each district. Trustees are appointed by county, municipal, or township officials, depending on the area of location within the district. If the district includes area located in two or more counties, the board is appointed at large by a majority vote of the presiding officers on the county boards in the specified areas served. These districts may levy ad valorem taxes and issue bonds.

Sanitary Districts

Illinois general laws authorize the following

types of sanitary districts:

Sanitary districts for sewerage—1917 law
Sanitary districts for drainage and sewage disposal — 1936 law

Under the 1917 law, at least 100 legal voters living within the proposed district service area may petition the circuit court of a county to form a sanitary district for the disposal of sewerage and the purification of water. Function of these districts may include, but is not limited to, construction or maintenance of drains, ditches, sewers, outlets and sewerage and water treatment plants, owned by any city, village, or incorporated town within the limits of the district. Official organization of the district will take place after public hearing and referendum. Boards created after 1 January 1978 usually consist of a board of 5 trustees. If the district is located wholly within a single county, the presiding officer of the county board, with advice and consent of the county board, shall appoint the trustees for the district. If the district is located in more than one county, the members of the general assembly whose legislative districts encompass any portion of the district shall appoint the trustees for the district. The board may levy ad valorem taxes and special assessments, impose charges, and issue bonds after public referendum.

The 1936 law allows for the creation of sanitary districts in contiguous areas of single county, outside the boundaries of any city, village, or incorporated town. These districts are established by the circuit court by petition of at least 20% of resident voters within the proposed district boundaries. Formal organization of the district occurs after public hearing and referendum. Each district is governed by a 3 member board of trustees, all of whom reside within the newly formed sanitary district, and are either appointed by the presiding officer of the county board with the advice and consent of the board or popularly elected. The decision to elect or appoint trustees is subject to public referendum. Districts created under this law may levy ad valorem taxes and special assessments, impose charges, and issue bonds after voter referendum.

In addition to districts formed under the above laws, the Metropolitan Water Reclamation District of Greater Chicago (formerly the Metropolitan Sanitary District of Greater

Chicago), the North Shore Sanitary District, and the Metro-East Sanitary District were created by special acts. These districts have elected or appointed boards with financing powers similar to the general law districts above.

Soil and Water Conservation Districts

See “Conservation Districts” under “Special District Governments” above.

Solid Waste Disposal Districts

These districts are authorized by general law to provide and maintain solid waste disposal facilities in any county having less than 3,000,000 population, or in a group of not more than five adjoining counties, each with a population of less than 3,000,000. They are established after hearing and local referendum, by petition of voters (at least 2% of the residents of an area) to the circuit court. In the case of multi-county districts, formation must be approved by the Illinois Environmental Protection Agency. A board of 5 trustees, which govern these districts, are appointed by the presiding officer of their respective local government (county or township), with advice and consent from the rest of their governing boards. District board may levy taxes, charge fees, accept grants and aid, and issue bonds after public referendum.

Street Lighting Districts

Fifty or more of the legal voters residing within the limits of the proposed district may petition the circuit court judge for the creation of a street lighting district. Official organization of the district occurs after public hearing and local referendum. A board of 3 trustees governs each district. Trustees are appointed by the county governing body, or by the chief executive officer, with the advise and consent of a county governing board operating under a home rule form of government. If the district is located in more than one county, the district board members are appointed by each respective county governing body based on the number of county residents living within the proposed district and that proportion related to the overall district population. Street lighting district boards may levy taxes and issue bonds after public referendum.

Surface Water Protection Districts

These districts engaged in food control activities that may include the acquisition, establishment, maintenance and operation of ditches, channels, flumes or similar waterways, trunk sewers, lateral sewers, manholes, street inlets, roadway culverts, outlet structures, junction chambers, pumping stations, retention basins, dams, levees, gate structures, spillways, control works, or any other types of construction necessary for the collection of surface waters within the district boundaries, and the subsequent conveyance and disposal of such waters at suitable points of discharge. Fifty or more legal residents / voter of contiguous areas, located in no more than two counties, may petition the circuit court to establish a surface water protection district. Official organization of a district will occur after public hearing and referendum. A five-member district board of trustees governs each district. Trustees are appointed by the chief executive officer of the county board(s), upon the advise and consent of the county governing board(s). In districts located in more than one county, the district board is appointed by each respective county governing body in proportion to population. The districts may levy taxes and issue bonds upon voter approval.

Transit Districts

Generally, local mass transit districts may be created to operate, maintain, or subsidize transit services through ordinance or resolution of one or more municipalities, counties, or any combination of either type of local government. Five-hundred or more legal voters, who are residents within the proposed service area, may file a petition (expressing a need for transportation services) in the circuit court of the county where the proposed district is located. Official organization of local mass transit districts can only occur after public hearing and local referendum has taken place. If a district is wholly contained within a single county, the county board will appoint 3 trustees to the governing board of the district. If the district consists of one or more municipalities or counties, or a combination of both, the municipal governing bodies or county boards appoint one trustee for every 100,000 inhabitants or a fraction thereof. In home rule counties, appointment authority is extended to the chief executive officer of the county board, with the advise and consent of the county board. Districts may issue revenue bonds, fix rates for service, accept

grants, and levy property taxes after voter approval. Similar provisions apply to the Metropolitan East Transit District, which is located in the eastern St. Louis area.

Tuberculosis Sanitarium Districts

The process for organizing and establishing these districts begins with submitting a petition to the circuit court of a county. The petition must be endorsed by at least 100 voters residing within the proposed service area of the district. Service area of the district must lie wholly within a single county and outside the corporate limits of any city or village. Official organization of these districts occur after public hearing and local referendum. The primary activities of these districts are dedicated to providing for the maintenance of sanitariums, which treat tuberculosis and other diseases. A board of directors serves as the governing body of each district. District populations of less than 500,000 people will be governed by 3 directors. Districts with populations that are greater than 500,000 will be governed by a board of 5 members. Regardless of population size, at least one member of the board of directors will be a licensed physician. These boards may levy taxes and issue bonds upon voter approval. Similar provisions apply for joint county tuberculosis sanitarium districts, except that their governing bodies are elected.

Water Supply Districts

Illinois general laws authorize the following types of water supply districts:

- Public water districts
- Water authorities
- Water service districts

Public water districts provide water supply and sewerage services for a designated area. They are created by the circuit court, by petition of at least 100 voter / residents, after public hearing and local referendum has taken place. A seven-member board of trustees can either be elected by residents (after a petition has been made by at least 100 voter / residents within a service area), or may be appointed by county, municipal, or township officials, depending on the area included within a given district. These districts have the power to fix water rates and rentals, issue revenue bonds, and levy a property tax after voter approval.

Water authorities, which provide water supply services, are created by petition of no less than 500 voter / residents of a contiguous territory to the circuit court of a county. Official organization of these authorities cannot take place until after a public hearing and successful referendum have occurred. Water authorities will always be governed by more than 3 trustees. Ultimately, the size of the board is calculated by a prescribed statutory formula based on complete local government jurisdictions falling within the service area of a proposed water authority. Guidelines for appointing or electing trustees after petition (of at least 20% of voter / residents) is outlined in those statutes as well. Water authorities may levy ad valorem taxes, fix water rates, and issue bonds.

Fifty or more voter / residents may petition the circuit court to create a water service district. Official organization of the district will not take place until after a public hearing and local referendum has occurred. A three-member board of trustees can either be elected by residents (after a petition has been made by at least 10% of electors within a service area), or may be appointed by county, municipal, or township officials, depending on the area in which it is established within a given district. The district board may levy taxes, impose charges for water service, and issue bonds after voter approval.

SUBORDINATE AGENCIES AND AREAS

Shown below are various governmental designations in Illinois that have certain characteristics of governmental units, but are classified in census statistics as subordinate agencies of the state or local governments. They are not counted as governments. Legal provisions for some of the larger entities of this kind are discussed below (see "Public School Systems," above, regarding educational agencies of this nature).

Among the subordinate agencies and areas listed below, some represent "special taxing areas" within the territory of an established government. This method of financing additional services in limited areas by property taxation, while also used by some municipal and township governments in a few states, is more widely utilized by county governments.

Capital Development Board (state). This board

was established by act of the general assembly to build or otherwise provide for capital improvements to school districts and various state facilities. The board consists of seven members appointed by the Governor with the consent of the senate. The board may direct disbursements of state funds for capital projects and make grants to school districts for planning, construction, and debt service under the direction of the state Board of Education.

Forest preserve districts (county, municipal, and other). Under general law, districts to preserve forests for recreational use and for control of flood waters may be established by the circuit judge on petition of resident voters, after public hearing and local referendum. If such a district is coterminous with a county, municipality, or sanitary district, the governing body of that government acts as governing body of the forest preserve district. When not coterminous, a five-member district board of commissioners is appointed by the county governing body. In Cook County, the Board of County Commissioners governs the Cook County Forest Preserve District. The districts may receive the proceeds of taxes levied by the parent county or municipal government, and may issue bonds with voter approval.

Illinois Educational Facilities Authority (state). This authority was established by act of the general assembly to finance the construction of facilities for institutions of higher education. A board of seven members appointed by the Governor governs the authority. The authority may fix rates, rents, fees, and charges; receive grants and contributions, and issue revenue bonds. This authority also assumed the functions of the former Illinois Independent Higher Education Loan Authority in 1988.

Illinois Health Facilities Authority (state). This authority was established by act of the general assembly to finance the construction of health and hospital facilities. A board of seven members appointed by the Governor governs the authority. The authority may charge rates, rents, fees; make mortgage loans to health institutions; and issue revenue bonds.

Illinois Housing Development Authority (state). This authority, established by act of the general assembly, may make mortgage loans to provide housing for persons of low to moderate

income. A board of nine members, appointed by the Governor with the consent of the state senate, governs the authority. The authority may fix fees and charges, receive grants, and issue revenue bonds.

Illinois Sports Facilities Authority (state). This authority was created to finance the construction of stadiums in the Chicago area. A seven-member board governs the authority, with the chair and three other members appointed by the Governor with the approval of the mayor of Chicago. The mayor of Chicago also appoints three other members directly. The authority may fix rates, rents, fees, and charges; impose a hotel occupancy tax; and issue revenue bonds.

Illinois State Toll Highway Authority (state). This authority was established by act of the general assembly to build, operate, and maintain state toll highways. The authority governing board consists of the Governor and the secretary of the State Department of Transportation, ex officio, plus nine members appointed by the Governor with the consent of the senate. The authority may collect tolls and issue revenue bonds.

Illinois Student Assistance Commission (state). This commission, formerly the State Scholarship Commission, was created by act of the general assembly to finance scholarships, grants, and loans to students. The commission consists of nine members appointed by the Governor with the consent of the senate. The commission may receive grants, appropriations, and contributions; purchase loans; receive interest on loans; and issue revenue bonds.

Land clearance commissions (county and municipal). The governing body of a county or of a city of 25,000 population or more may establish such a commission by resolution. The presiding officer of the municipality or county appoints a board of commissioners to administer the affairs of the agency. The commission may issue revenue bonds and accept contributions, grants, and other financial assistance from the Federal government. Municipalities within the area of operation may issue general obligation bonds for redevelopment purposes upon approval of the voters and provide for a direct annual tax to pay the debt. Municipalities may also make appropriations and payments to the commissions and match state payments.

Road districts (county). Each of the 17 Illinois counties without organized township governments is divided by the county board of commissioners into road districts or is designated as a county unit road district. In counties divided into road districts, a highway commissioner is elected for each district. The commissioner certifies annually to the county board for approval the amount to be raised for road and bridge purposes in the district. The district may issue bonds with the approval of the voters. In counties with county unit road districts, the district is administered by the county superintendent of highways under the direction of the county board. The county board may levy taxes for road and bridge purposes in such counties and may, with voter approval, issue bonds.

Other examples include:

State

- Medical Center Commission (formerly Chicago Medical Center Commission)
- East St. Louis Development Authority
- Forest fire protection districts
- Financial advisory authorities
- Illinois Asbestos Abatement Authority
- Illinois Community Development Finance Corporation
- Illinois Development Finance Authority
- Illinois Environmental Protection Agency
- Illinois Export Development Authority
- Illinois Farm Development Authority
- Illinois Grain Insurance Corporation
- Illinois Manufacturing Technology Alliance
- Illinois Mortgage Insurance Agency
- Illinois Research Park Authority
- Illinois Rural Bond Bank
- Joliet Arsenal Development Authority
- Mine inspection districts
- Prairie Trail Authority
- Quad Cities Regional Economic Development Authority ¹
- Registration districts (vital statistics)
- Southwestern Illinois Development Authority
- Tri-County River Valley Development Authority
- University of Illinois Foundation
- Upper Illinois River Valley Development Authority
- Will-Kankakee Regional Development Authority

County

- Public health districts
- Local economic development commissions (county)
- Mental health commissions (county)
- Regional juvenile detention authorities

Municipal

- Fort Sheridan Redevelopment Commission
- Industrial development commissions
- Joint water commissions
- Local economic development commissions (municipal)
- Local transit commissions
- Mental health commissions (municipal)
- Railroad terminal authorities
- Water districts--1899 law (serving two or more municipalities)

Township

- Civic center authorities with ex officio boards
- Mental health commissions (township)
- Mosquito abatement districts--1988 law
- Multi-township assessing districts
- Special fire districts--1982 law
- Special police districts--1982 and 1983 laws
- Special refuse collection and disposal districts

Township health districts

Illinois laws also provide for various types of local areas for election purposes and administration of justice.

¹ The town of Cicero exists within a township area, but lacks a separate township form of government. In 18 other townships that are coterminous with a city or village, the township funds are separate from those of the city or village, and the township performs functions that are distinct from those of the city or village. In these 18 areas, the township government is counted as a separate government for census purposes.

² Oversight powers of the Chicago School Finance Authority have been temporarily suspended until 2004 by public act 90-757 of 1999.

³ The only exception to local appointment of the board is The Springfield Metropolitan Exposition and Auditorium Authority. It is governed by a board that is elected.

⁴Sanitary districts formed under the Sanitation Act of 1907 were allowed to reorganize under the Metro-East Sanitary District. No districts created under the original act of

1907 were reported in operation during the 1987, 1992, and 1997 survey cycles of the Census of Government Organizations.